

**Notice of Allowability**

Application No.

09/558,656

Examiner

Baoquoc N. To

Applicant(s)

ENOKIDA ET AL.

Art Unit

2162

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 08/04/2006.
2. ☒ The allowed claim(s) is/are 21,23,26,27,51,53,56-57,64 and 65 now renumbered as 1-10.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☒ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date 08/07/06.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date 08/04/06.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

### **DETAILED ACTION**

1. Claims 21, 51 and 64 are amended, claims 25 and 55 are canceled and claim 65 is newly added in the amendment filed on 07/25/2006. Claims 24 and 54 are canceled in the examiner amendment. Claims 21, 23, 26-27, 51, 53, 56-57 and 64-65 are pending in this application.

### ***Drawings***

2. Figures 16 and 17 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### **EXAMINER'S AMENDMENT**

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Frank L. Cire, Reg. No. 42,419 on 08/04/2006.

Please amend the application as follow:

1. to 20. (Canceled)

21. (Currently amended) A computer-implemented data processing method comprising the steps of:

reading multiple types kinds of meta-data from data files belonging to a first directory, each of the data files having both content data and meta-data formed by text data to indicate characteristics of the content data;

extracting common text data forming common meta-data from the multiple types kinds of meta-data included in the data files read in said reading step;

first generating step for generating a second new directory for the data files using the extracted common metadata;

second generating step for generating new directory meta-data for the second new directory by using the common text data extracted in said extracting step;

registering attaching the new directory meta-data generated in said second generating step to the second new directory; and

third second generating step means for generating a third another new-directory for data files to which are attached meta-data which does not include the common text data used in the new directory meta-data.

22. (Canceled)

23. (Currently amended) The method set forth in claim 21, wherein:  
when in said searching step there is no common text data, the ~~new~~  
directory meta-data for the second ~~new~~ directory is generated based on text data  
forming meta-data included in most of the data files belonging to the second ~~new~~  
directory.

24. and 25. (Canceled)

26. (Previously presented) The method set forth in claim 21,  
wherein:  
each data file includes image data, audio data, or dynamic image  
data.

27. (Currently amended) The method set forth in claim 21, wherein:  
in said registering ~~attaching~~ step, the ~~new~~ directory meta-data  
generated in said second generating step is appended to the end of the second  
~~new~~ directory data.

28. to 50. (Canceled)

51. (Currently amended) A data processing device comprising:

~~reading~~ means for reading multiple types kinds of meta-data from data files belonging to a first directory, each of the data files having both content data and meta-data formed by text data to indicate characteristics the content data;

~~extracting~~ means for extracting common text data forming common meta-data, from the multiple types kinds of meta-data included in the data files;

~~generating~~ means for generating a second ~~new~~ directory for the data files using the extracted common metadata, and generating ~~new~~ directory meta-data for the second ~~new~~ directory by using the common text data extracted by said extracting means;

~~attaching~~ means for registering ~~attaching~~ the ~~new~~ directory meta-data ~~generated by said generating means~~ to the second ~~new~~ directory; and

~~second-generating~~ means for generating a third ~~another new~~ directory for data files to which are attached meta-data which does not include the common text data used in the ~~new~~ directory meta-data.

52. (Canceled)

53. (Currently amended) The device set forth in claim 51, wherein when said ~~searching~~ means for extracting finds no common text data, said ~~generating~~ means for generating a second directory generates the ~~new~~ directory meta-data based on text data forming meta-data ~~item~~ included in most of the data files belonging to the new directory.

54. and 55. (Canceled)

56. (Previously presented) The device set forth in claim 51,  
wherein:  
each data file includes image data, audio data, or dynamic image  
data.

57. (Currently amended) The device set forth in claim 51, wherein:  
said ~~attaching~~ means for registering appends the new directory  
meta-data generated by said generating means to the end of the second ~~new~~  
directory data.

58. to 63. (Canceled)

64. (Currently amended) A computer-readable memory medium  
storing a control program to be executed by a computer, said control program  
comprising code for performing the steps of:  
reading multiple types ~~kinds~~ of meta-data from data files belonging to  
a first ~~an indicated~~ directory, each of the data files having both content data and  
meta-data formed by text data to indicate characteristics of the content data;  
extracting common text data forming common meta-data included in  
the data files, from the multiple types ~~kinds~~ of meta-data;

a first generating step for generating a second new directory for the data files using the extracted common metadata;

a second generating step for generating new directory meta-data for the second new directory by using the common text data in said extracting step;

registering attaching the new meta-data ~~generated in said generating step~~ to the second new directory; and

a third generating step for generating a third another new directory for data files to which are attached meta-data which does not include the common text data used in the ~~new~~ directory meta-data.

65. (Currently amended) A data processing device comprising:

a reading unit adapted to read multiple types ~~kinds~~ of meta-data from data files, each of the data files having both content data and meta-data formed by text data to indicate characteristics of the content data; and

a processing unit adapted to extract common text data from multiple types ~~kinds~~ of meta-data included in the data files, to generate a second new directory for the data files using the extracted common metadata, and ~~new~~ directory meta-data for the second new directory by using the extracted common text data, to register attach the generated ~~new~~ directory meta-data to the second new directory, and to generate a third another new directory for data files to which are attached meta-data which does not include the common text data used in the new directory meta-data.

***Allowable Subject Matter***

4. Claims 21, 23, 26-27, 51, 53, 56-57 and 54-65 are allowed.

The following is a statement of reasons for the indication of allowable subject matter:

As to claim 21, none of prior art either teaches or suggests “extracting common text data forming common meta-data from the multiple types ~~kinds~~ of meta-data included in the data files read in said reading step; first generating step for generating a second ~~new~~ directory for the data files using the extracted common metadata; second generating step for generating ~~new~~ directory meta-data for the second ~~new~~ directory by using the common text data extracted in said extracting step; registering ~~attaching~~ the ~~new~~ directory meta-data generated in said second generating step to the second ~~new~~ directory; and third ~~second~~ generating step ~~means~~ for generating a third ~~another new~~ directory for data files to which are attached meta-data which does not include the common text data used in the ~~new~~ directory meta-data” in conjunction with “reading multiple types ~~kinds~~ of meta-data from data files belonging to a first directory, each of the data files having both content data and meta-data formed by text data to indicate characteristics of the content data.”

Claims 23 and 26-27 are depended on claims 21. Since claim 21 is allowed; therefore, claims 23 and 26-27 are allowed under the same reason.

Claim 51 is an apparatus including the means plus function which has the same concept as to claim 1.



Claims 53 and 56-57 are depended on claim 51. Since claims 51 is allowed; therefore, claim 53 and 56-57 are allowed under the same reason.

Claim 64 is a computer-readable memory medium storing a control program to be executable by computer which has the same concept as to claim 1; therefore, claim 64 is allowed under the same reason.

Claim 65 is another method which have the same concept of claim 1. Since claim 1 is allowed; therefore, claim 65 is allowed under the same reason.

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

#### **Patent:**

Park et al. (US. Patent No. 5,930,709) Patent date: 07/27/1999.

Kusama (US. Patent No. 7,085,767 B2) Patent date: 08/01/2006.

#### **NPL:**

Kim et al. TA-RE: an exchange language for mining software repostitories, international Conference on Software Engineering, 2006, pp. 22-25.

### ***Contact Information***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Baoquoc N. To whose telephone number is at 571-272-4041, or unofficial fax number for the purpose of discussion (571) 273-4041 or via e-mail BaoquocN.To@uspto.gov. The examiner can normally be reached on Monday-Friday: 8:00 AM – 4:30 PM, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached at 571-272-4107.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks  
Washington, D.C. 20231.

The fax numbers for the organization where this application or proceeding is assigned are as follow:

(571) -273-8300 [Official Communication]

BQ To

August 7th, 2006

Leslie Wong  
Primary Examiner